

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

DAMILARE SONOIKI,

Plaintiff,

v.

HARVARD UNIVERSITY, et al.,

Defendants.

Civil Action No. 1:19-cv-12172-LTS

**MOTION TO COMPEL PLAINTIFF TO COMPLY
WITH HIS INITIAL DISCLOSURE OBLIGATIONS**

Pursuant to Federal Rule of Civil Procedure 37 and Local Rule 37.1(b), Defendants Harvard University, Harvard University Board of Overseers, and the President and Fellows of Harvard College (together, “Harvard”)¹, hereby request that the Court compel Plaintiff to supplement his initial disclosures with an itemized list of claimed damages in compliance with Rule 26 on or before December 30, 2022.

As explained in the accompanying Memorandum, and the Declaration and exhibits thereto, despite numerous requests, Plaintiff Damilare Sonoiki has refused to provide Harvard with a “computation of each category of damages” he is claiming in this case. Access to this information in advance of Plaintiff’s January 11, 2023 deposition is of critical importance to Harvard and is required by Fed. R. Civ. P. 26(a)(1)(A)(iii).

For all of the reasons set forth in Harvard’s Memorandum in Support of its Motion to Compel, Harvard respectfully requests that the Court grant the Motion and enter an Order

¹ The Amended Complaint incorrectly identifies the Harvard entities as “Harvard University, Harvard University Board of Overseers, and the [sic] President and Fellows of Harvard College.” President and Fellows of Harvard College is the legal entity for Harvard and is the only proper party to this litigation.

compelling Plaintiff to supplement his damages computation in accordance with Rule 26(a)(1)(A)(iii) to itemize and compute all categories of his claimed damages and to provide any documents or other evidentiary material on which such computation is based, on or before December 30, 2022.

Dated: December 8, 2022

Respectfully submitted,

/s/ Victoria L. Steinberg
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Board of Overseers, and the President and
Fellows of Harvard College*

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 37.1

The undersigned counsel hereby certifies that Harvard's counsel conferred in good faith with Plaintiffs' counsel regarding the issues raised in this motion in a November 1, 2022 letter, November 2, 2022 telephone conference among counsel for both parties, and email correspondence dated November 29, 2022.

Additional details are provided in Defendant's Memorandum in Support of its Motion to Compel, and the Declaration of Victoria Steinberg with its accompanying exhibits.

/s/ Victoria L. Steinberg
Victoria L. Steinberg

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on December 8, 2022.

/s/ Victoria L. Steinberg

Victoria L. Steinberg